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**PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Michael G. Lowery.

Serial No.: 10/823,073

Filed: April 13, 2004

For: ARTICLE AND METHOD FOR
APPLYING A COUPLING AGENT FOR A
NON-INVASIVE OPTICAL PROBE

Examiner: Not yet assigned

Group Art Unit: 1614

Case No.: 7350.US.O1

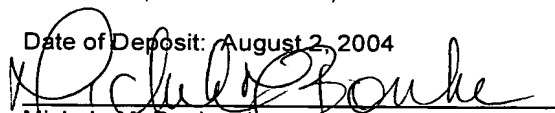
Date: August 2, 2004

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Michele M. Bonke

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is the Information Disclosure Statement of Nonprovisional Application of Michael G. Lowery, for Serial No. 10/823,073 filed April 13, 2004.

Also enclosed are:

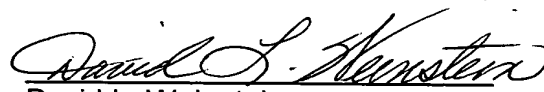
PTO – Form 1449
Copies of Three References
Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. **A duplicate copy of this sheet is enclosed.**

23492

ABBOTT LABORATORIES
Telephone: (847) 937-6182
Facsimile: (847) 938-2623

Respectfully submitted,
Michael G. Lowery.


David L. Weinstein
Registration No. 28,128
Attorney for Applicants



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael G. Lowery

Serial No.: 10/823,073

Filed: April 13, 2004

Title: ARTICLE AND METHOD FOR APPLYING
A COUPLING AGENT FOR A NON-INVASIVE
OPTICAL PROBE

Group Art: 1614

Examiner: (not yet assigned)

Case No.: 7350.US.O1

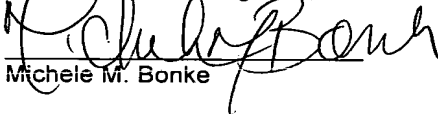
Date: August 2, 2004

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Michele M. Bonke

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313 - 1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed, to the knowledge of the undersigned, before the mailing date of a first Office Action on the merits. Applicants respectfully petition and request that the Examiner consider the listed documents and evidence such consideration by making appropriate notations on the attached form. Copies of the listed documents, except for the listed United States patents, are attached.

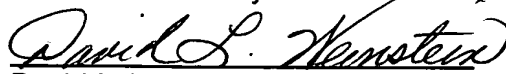
This submission does not represent that a search has been made or that no better art exists, and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

The Commissioner is authorized to charge our Deposit Account any additional fees (or credit any over payments) that may be required under 37 C.F.R. §§ 1.16 and 1.17 in association with this communication for which full payment has not been tendered.

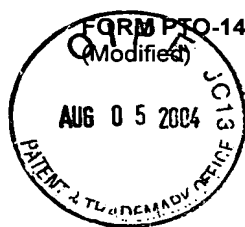
23492

ABBOTT LABORATORIES
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Respectfully submitted,
Michael G. Lowery

A handwritten signature in cursive script, reading "David L. Weinstein", written over a horizontal line.

David L. Weinstein
Registration No. 28, 128
Attorney for Applicants



FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

(37 CFR 1.98 (b))

ATTY. DOCKET NO.

7350.US.O1

SERIAL NO.

10/823,073

APPLICANT

Michael G. Lowery

FILING DATE

04/13/2004

GROUP

1614

U.S.PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB CLASS	FILING DATE
	A1	4,655,225	04/07/87	Dahne, et al.			
	A2	4,975,581	12/04/90	Robinson, et al.			
	A3	5,348,003	09/20/94	Caro			
	A4	5,379,764	01/10/95	Barnes, et al.			
	A5	5,402,778	04/04/95	Chance			
	A6	5,551,422	09/03/96	Simonsen, et al.			
	A7	5,596,987	01/28/97	Chance			
	A8	5,655,530	08/12/97	Messerschmidt			
	A9	5,823,951	10/20/98	Messerschmidt			
	A10	5,978,691	11/02/99	Mills			
	A11	6,016,435	01/18/00	Maruo, et al.			
	A12	6,241,663	06/05/01	Wu, et al.			
	A13	6,526,298	2/25/03	Khalil, et al.			
	A14	6,654,620	11/25/03	Wu, et al.			
	A15	6,662,030	12/09/03	Khalil, et al.			
	A16	6,662,031	12/09/03	Khalil, et al.			

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLIC- ATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS- LATION	
							YES	NO
	B1	99/59464	25.11.99	WO				

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

	C1		Bruulsema, et al., "Correlation between blood glucose concentration in diabetics and noninvasively measured tissue optical scattering coefficient". OPTICS LETTERS, Vol. 22, No. 3., February 1, 1997, pp. 190-192.					
	C2		Bruulsema, et al., "Optical Properties of Phantoms and Tissue Measured <i>in vivo</i> from 0.9-1.3 μ m using Spatially Resolved Diffuse Reflectance". SPIE, Vol. 2979, 1997, pp. 325-334.					

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449)